

DECLARATION OF JOON HAN BAE

Joon Han Bae, under penalty of perjury and from personal knowledge, makes the following declaration:

1. I am currently employed by Dae Do Inc., trade name Vivace ("Vivace"). My title is Director on the Sales Team. I am 53 years old and I live in Little Ferry, New Jersey, where I have lived for the last nine years. My first language is Korean but I am able to read and write English with assistance. I make this Declaration in support of Vivace's opposition to the application by Plaintiff Hair Zone Inc., ("Hair Zone") for a temporary restraining order.

2. Vivace is currently preparing to sell wigs and hair extensions. To date, Vivace has not sold any products, it has not accepted any orders from any customers for any products and it has not executed any contracts or other agreements with customers. In fact, Vivace does not have any inventory of products to sell yet. Vivace has not even developed a template customer contract yet. Vivace also has not finalized or set any prices for any of the products that it plans to sell. Vivace expects to begin selling its products toward the end of July 2023 or beginning of August 2023.

3. When Vivace begins selling products, I will supervise some sales representatives and may also act as a sales representative. My understanding is that members of Vivace's sales team will be assigned responsibility to certain geographic territories. However, to date, the composition of these territories has not yet been determined and I have not yet been assigned a territory.

4. Prior to joining Vivace in March 2023, I worked for Hair Zone, the Plaintiff in this action, as a sales representative. My final base salary in 2022 was \$98,000. The sales territory for which I was responsible during my final five years of employment with Hair Zone

was the States of New Jersey and Delaware. For the three years prior to that my sales territory was the District of Columbia and the States of Virginia and Maryland.

5. Prior to beginning my employment with Hair Zone in 2007, I was required to sign a document entitled “Confidentiality Agreement.” I did not read this document carefully before signing it. I was told that I was required to sign it so I did so. The contents of the document were not explained to me and I was not given an opportunity to consult with an attorney, or anyone else, prior to signing.

6. I have been shown copies of the documents attached as Exhibits A, C, D, E, F and G to the Declaration of Louis Choi, which have been filed under seal. I have never used any of the information in any of the documents attached to Mr. Choi’s Declaration on behalf of Vivace. I do not consider the names, addresses, telephone numbers and employees of beauty supply stores to be confidential information as this information is publicly available. Similarly, pricing information for the products that Hair Zone sells is not confidential and is provided to customers. For instance, the documents at Exhibits E, F and G attached to Mr. Choi’s declaration were provided to customers.

7. I first received notice of the instant lawsuit on July 5, 2023. Prior to that date, Hair Zone never contacted me regarding my possession of any Hair Zone information. Had Hair Zone reached out to me prior to filing this lawsuit, I would have cooperated with Hair Zone to ensure that I did not possess any confidential information of Hair Zone.

8. Although Hair Zone states in its Complaint that it became aware of me working at Vivace in March of 2023, Hair Zone never contacted me to tell me that I was prohibited from working for Vivace.

9. I have been instructed by Moonki Kim, Vivace’s Chief Executive Officer, that under no circumstances should I disclose to anyone at Vivace, or use on Vivace’s behalf, any

confidential information or materials belonging to Hair Zone. I have informed Mr. Kim that I have not used, and will not use, any confidential information from Hair Zone in the course of performing my duties for Vivace.

Pursuant to 28 U.S.C. § 1746(2), I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed on this 10th day of July, 2023.



JOON HAN BAE